

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

|  |  |                             |
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| D&T PARTNERS, LLC, successor-in-interest<br>to ACET Venture Partners, LLC,<br><br><i>Plaintiff,</i><br><br>v.<br><br>BAYMARK PARTNERS, LP, <i>et al.</i> ,<br><br><i>Defendants.</i> | §<br>§<br>§<br>§<br>§<br>§<br>§<br>§<br>§<br>§ | Civil Cause: 3:21-cv-1171-B |
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**ORDER GRANTING WINDSPEED EMPLOYEES’  
MOTION TO DISMISS CLAIMS PURSUANT TO RULE 12(b)(6)**

CAME ON FOR CONSIDERATION the motion filed by defendants Ms. Zhexian Lin (“Lin”), Ms. Dana Marie Tomerlin (“Tomerlin”), Ms. Padasamai Vattana (“Vattana”); Ms. Paula Ketter (“Ketter”), Ms. Vanessa Torres (“Torres” and together with Lin, Tomerlin, Vattana and Ketter the “Windspeed Employees”) styled *Windspeed Employees’ Motion to Dismiss Claims Pursuant to Rule 12(b)(6)* (the “Motion”) filed on August 9, 2021 at docket no. \_\_\_. Upon Consideration of the Motion and accompanying brief in support, the Court finds and concludes as follows:

- A. The Motion was properly served and no further service is necessary.
- B. The Court has jurisdiction over the matter and has authority to enter this Order.

IT IS THEREFORE, ORDERED ADJUDGED AND DECREED that:

- 1. The Motion is hereby **GRANTED**.
- 2. The RICO Claims asserted in Counts I-III by Plaintiff D&T Partners, LLC (“Plaintiff”) are dismissed with prejudice for failure to state a claim upon which relief can be granted.
- 3. The state law claims asserted in Counts VI-VIII (the “State Law Claims”) by Plaintiff are dismissed with prejudice for failure to state a claim upon which relief can be granted.

Dated: \_\_\_\_\_

\_\_\_\_\_  
HON. JANE J. BOYLE;  
UNITED STATES DISTRICT JUDGE: